

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**ROBERT DILLOW,**

**Plaintiff,**

**V.**

**VIRGINIA POLYTECHNIC INSTITUTE  
AND STATE UNIVERSITY, et al.,**

**Defendants.**

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**Case No. 7:22cv280**

**MOTION TO DISMISS BY SPECIAL APPEARANCE PURSUANT TO RULE 12(b)(5)**

Rachael Tully, by counsel, pursuant to Rules 4(m) and 12(b)(5) of the Federal Rules of Civil Procedure, makes a special appearance to move this Court for entry of an Order dismissing the claims against her for the reasons set forth in the accompanying Memorandum of Law.

Respectfully submitted,

RACHAEL TULLY

/s/  
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*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 6, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send notification of such filing to all counsel of record.

/s/ Nathan H. Schnetzler  
Of Counsel

